

R E C E I V E D

PROB 12B  
(4/17)

**United States District Court**

JUN 15 2018

for

AT 8:30  
WILLIAM T. WALSH  
CLERK

**District of New Jersey**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Jay Fung

Cr.: 16-00107-001  
FACTS #: 2104842

Name of Sentencing Judicial Officer: THE HONORABLE ANNE E. THOMPSON  
SENIOR U.S. DISTRICT COURT JUDGE

Date of Original Sentence: 01/17/2018

Original Offense: Count One: Conspiracy To Commit Security Fraud, 18:371.F

Original Sentence: 12 months and 1 day imprisonment, 36 months supervised release

Special Conditions: Special Assessment, Fine, Substance Abuse Testing, Alcohol Treatment, Mental Health Treatment, Gambling Restriction, Self-Employment/Business Disclosure, Place Restriction Area

Type of Supervision: Supervised Release Date Supervision Commenced: Offender still in custody

**PETITIONING THE COURT**

☐ To extend the term of supervision for \_\_\_\_ years, for a total term of \_\_\_\_ years.

☒ To modify the conditions of supervision as follows:

You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

**CAUSE**

The defendant has requested to relocate to Las Vegas, Nevada, as his family has moved to Nevada. The Probation Office in the District of Nevada has made a request that prior to any transfer of supervision the defendant agree to the imposition of this condition.

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Jay Fung


Respectfully submitted,

By: Edwin Vazquez /EV  
Supervisory U.S. Probation Officer  
Date: 06/15/2018

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THE COURT ORDERS:

- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ No Action
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer  
  
6/15/18  
\_\_\_\_\_  
Date

PROB 49  
(3/89)

UNITED STATES DISTRICT COURT

District of New Jersey

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

**Search and Seizure** – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

Witness

  
U.S. Probation Officer

Signed

  
Probationer or Supervised Releasee

6/6/2018  
Date